

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances

PROPOSED AMENDMENT

19 CSR 30-1.048 Records for Practitioners and Researchers. The department is amending the Purpose statement, deleting sections (9) and (10), and adding a new section (9).

PURPOSE: This amendment will allow prescriptions for controlled substances to be transmitted electronically provided federal laws relating to electronic prescribing of controlled substances are followed.

PURPOSE: This rule sets requirements for record keeping for [individual] practitioners and researchers. It also sets requirements for the use of facsimile and electronic [computer transmission of controlled substance] prescriptions.

(9) *[Any practitioner or practitioner's agent who transmits a controlled substance prescription by electronic computer transmission shall maintain a printout of each day's transmissions. The practitioner or practitioner's agent shall verify that the information in the printout is correct and shall sign the printout.]* **The creation, signature, transmission, and processing of controlled substance prescriptions electronically and record keeping for electronic controlled substance prescriptions shall meet the requirements of 21 CFR Parts 1300 to End, which are hereby incorporated by reference in this rule as published April 1, 2014, by the Office of Federal Register, National Archives and Records Administration, and are made available to the public by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, D.C. 20401, or at www.gpoaccess.gov/cfr/. This rule does not incorporate any subsequent amendments or additions.**

[(10) Each pharmacist who dispenses controlled substances under a prescription transmitted by electronic computer transmission, shall verify with the practitioner within 30 days of the filling such prescription that the prescription was authorized by the practitioner. If verification is made by telephone, the pharmacist shall document the verification on the reverse of the prescription or in the computer. If verification is made by sending the practitioner a copy of a computer printout, the practitioner shall verify, sign and return the printout to the pharmacy. The pharmacy shall maintain the verified printout in a separate file.]

AUTHORITY: sections 195.050 and 195.195, RSMo [1994] 2000. Original rule filed April 14, 2000, effective Nov. 30, 2000. *Original authority: 195.050, RSMo 1939, amended 1971, 1989 and 195.195, RSMo 1957, amended 1971, 1989, 1993.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private agencies more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Michael Boeger, Administrator, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, P.O. Box 570, Jefferson City, Missouri 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*